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UNCLAS DUBLIN 001782

SIPDIS

E.O. 12958: N/A

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SUBJECT: IRISH RESPONSE TO FSC/ETI REPEAL DEMARCHE

REF: A. STATE 251625

[1](#)B. WILSON-EU TRADE OFFICERS 12/8 E-MAIL

[1](#)1. On December 9, post delivered reftels' talking points to Tony Joyce, Senior Trade Negotiator in the Department of Enterprise, Trade, and Employment (DETE). Joyce noted the GOI's view that it had been reasonable for the Commission to seek WTO confirmation that the FSC/ETI repeal included in the American Jobs Creation Act was WTO-compliant. He added that the GOI was "unhappy" with the Commission's proposal to reinstate sanctions automatically in the event that the WTO panel did not find full compliance. Ireland would have preferred the suspension of sanctions, with the option of revisiting the sanctions option if the WTO panel did not find compliance. Joyce noted that the GOI had voiced this position in discussions that followed the Commission's briefing to Member States this past week in Brussels regarding the draft Council regulation on the FSC/ETI issue. He said that Ireland was aware of the U.S. Congress' sensitivities to the Commission's approach, but was waiting to see the position that a majority of Member States would take on the draft regulation. Joyce added that the Commission had valued the grandfathering benefits included in the FSC/ETI repeal "conspicuously" above the USD 75 million per year cited in ref B, though he could not recall the Commission's exact estimate.

KENNY